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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

THE UNITED STATES OF AMERICA *ex*
rel. JOHN DOE,

Plaintiffs/Relator,

v.

SPECTOCOR ENTERPRISE SERVICES,
LLC, D/B/A SPECTOCOR, *et al.*,

Defendants.

Honorable Katherine S. Hayden, U.S.D.J.

Civil Action No. 14-387

JOINT STIPULATION OF DISMISSAL

The United States of America and relator John Doe (Eben L. Steele) (the “Relator”), by their undersigned counsel, pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, hereby stipulate that:

(1) The United States has filed a Notice of Election to Intervene in Part for Settlement Purposes and Decline Intervention in Part, dated June 26, 2017 (the “Election Notice”), against defendants: (a) AMI Monitoring, Inc. (“AMI”), Spectocor, LLC, Joseph H. Bogdan (together, the “AMI Defendants”); and (b) Medi-Lynx Cardiac Monitoring, LLC and MEDICALgorithmics S.A. (together, the “Medi-Lynx Defendants”); and to Decline Intervention against defendant Andrew Bogdan ;

(2) The United States, the Relator, the AMI Defendants, and the Medi-Lynx

Defendants have reached settlement agreements (together, the “Settlement Agreement”) that require the United States and the Relator to file a Joint Stipulation of Dismissal with respect to all claims against the AMI Defendants and the Medi-Lynx Defendants following the payment of the settlement amounts;

(3) The United States and the Relator have received full payment from the AMI Defendants and the Medi-Lynx Defendants due under the Settlement Agreement;

(4) The claims in the above-captioned action asserted against the AMI Defendants, the Medi-Lynx Defendants, and defendant Andrew Bogdan shall be dismissed, subject to the terms and conditions set forth in the Settlement Agreement, as follows upon the filing of this stipulation with the Clerk of the Court, with each party to bear its own costs except as expressly provided to the contrary in the Settlement Agreement:

(a) As to the AMI Defendants, the United States’ claims are dismissed with prejudice as to the AMI Covered Conduct, as that term is defined in the above-referenced Election Notice, and without prejudice as to any other claims;

(b) As to the Medi-Lynx Defendants, the United States’ claims are dismissed with prejudice as to the Medi-Lynx Covered Conduct, as that term is defined in the above-referenced Election Notice, and without prejudice as to any other claims;

(c) As to defendant Andrew Bogdan, the United States’ claims are dismissed without prejudice; and

(d) As to the AMI Defendants, the Medi-Lynx Defendants, and defendant Andrew Bogdan, the Relator’s claims are dismissed in their entirety, with prejudice.

With this stipulation the United States is also filing a proposed order dismissing the Complaint.

Respectfully submitted,

WILLIAM E. FITZPATRICK
Acting United States Attorney

Dated: July 5, 2017

By: /s/ Bernard J. Cooney
BERNARD J. COONEY
ANDREW A. CAFFREY, III
Assistant United States Attorneys

CHAD A. READLER
Acting Assistant Attorney General

Dated: July 5, 2017

By: /s/ Holly H. Snow
MICHAEL D. GRANSTON
SARA MCLEAN
HOLLY H. SNOW
Attorneys, Civil Division
Commercial Litigation Branch

RELATOR JOHN DOE (EBEN L. STEELE)

Dated: 7/2/17

By: Suzanne E. Durrell
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Dated: 7/2/17

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DISTRICT OF NEW JERSEY
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Under Seal

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Martin Luther King, Jr. Federal Courthouse
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Newark, NJ 07102